

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE NO. 03-12372 NMG

BARBARA TORRISI)
Plaintiff,)
)
V.)
)
METROPOLITAN LIFE)
INSURANCE COMPANY)
Defendant.)

JOINT MOTION TO EXTEND SUMMARY JUDGMENT DEADLINES

Pursuant to Fed. R. Civ. P. 6(b)(2) the parties hereby move jointly for an order extending the deadlines for filing cross-motions for summary judgment and responses as follows. In the event that the plaintiff's pending motion to compel discovery is allowed, the parties request sixty (60) days from the date of decision on plaintiff's motion to compel to file cross-motions for summary judgment and twenty-one (21) days thereafter to file responses. In the event that the plaintiff's pending motion to compel discovery is denied, the parties request thirty (30) days from the date of decision on plaintiff's motion to compel to file cross-motions for summary judgment and twenty-one (21) days thereafter to file responses.

As grounds for this motion, the parties state the following. On September 30, 2004, this Court entered a scheduling order stating that discovery motions were to be filed

by December 1, 2004, cross-motions for summary judgment were to be filed by January 14, 2005, and responses to cross-motions for summary judgment were to be filed by February 4, 2005. On December 1, 2004, plaintiff filed a motion for an extension of time to file a discovery motion, and thereafter filed a motion to compel discovery on December 15, 2004. On December 28, 2004, defendant moved for an extension of time to file an opposition to plaintiff's motion to compel discovery and thereafter filed its opposition on January 12, 2005. In light of plaintiff's motion to compel discovery, the parties did not file cross-motions for summary judgment pursuant to the scheduling order, and the deadline for doing so has passed. The plaintiff's motion to compel discovery currently is pending with the Court.

The parties would prefer to file cross-motions for summary judgment after the Court resolves plaintiff's discovery motion. Therefore, the parties respectfully request that the Court allow this motion and enter an order extending the deadlines for filing of cross-motions for summary judgment to either sixty (60) or thirty (30) days following the Court's decision on plaintiff's motion to compel, depending on whether the motion to compel is allowed or denied respectively, and extending the time for filing responses to cross-motions for summary judgment to twenty-one (21) days thereafter.

METROPOLITAN LIFE INSURANCE
COMPANY
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By her attorney,

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Dated: April 24, 2005

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